

REMARKS

Claims 26 and 27 have been rejected under 35 USC 112, second paragraph for lack of antecedent basis. Claims 26 and 27 have been amended.

Claims 10-29 have been rejected under 35 USC 102(b) as anticipated by Clark. The rejection is respectfully traversed.

Clark relates to a network have N node elements which operates N decision tables for controlling admission and control of data communications to the N node elements (Fig. 2). Each node element generates corresponding performance data (Fig. 5), and the N decision tables and N performance data are collected at a central network controller. The network controller determines a set of new decision tables from the collected decision tables (Fig. 10) and distributes a new set of decision tables to each of the N node elements, which then proceed to operate the new decision tables throughout the network. However, Clark fails to disclose that a control entity is assigned to multiple network elements, and that the behavior rules are formulated in a central control entity assigned to the network element, as required by the claimed invention (as amended).

Rather, Clark discloses that each control entity (switch) is assigned to a CEQ (network element), where the behavior rules are provided by the CEQ. That is, there is a corresponding (one-to-one) CEQ for each switch that provides rules (see, for example, Fig. 2 of Clark, where each switch (control entity) has its own CEQ (network element)). In the claimed invention, on the other hand, a control entity (NCS) is assigned to a network element (e.g. RCA). However, an RCA or Edge is not assigned on an individual (one-to-one) basis to the NCS (see, for example, Figs. 1-3 of instant invention, where a central NCS is assigned to two RCAs). Additionally, the behavior rules are not, however, formulated by the central entity (network controller 200 in Clark).

Since the recited method is not disclosed by the applied prior art, claims 10-13 and 19-29 are patentable.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 119010-083.

Respectfully submitted,

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